

91<sup>st</sup> Legislative Session – 2016

Committee: House Judiciary

Friday, January 22, 2016

P - Present  
E - Excused  
A - Absent

Roll Call

P DiSanto  
P Gibson  
P Haugaard  
P Hunt  
P Johns  
P Killer  
P Langer  
P Latterell  
P Peterson (Kent)  
P Russell  
P Westra  
P Stevens, Vice-Chair  
P Mickelson, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Representative Mark Mickelson, Chair.

MOTION: TO APPROVE THE MINUTES OF JANUARY 15, 2016.

Moved by: Gibson  
Second by: Westra  
Action: Prevailed by voice vote.

HB 1055: clarify that a gift of real property does not require a disclosure statement.

Presented by: Rep. Hunt, Legislator

MOTION: DO PASS HB 1055

Moved by: Gibson  
Second by: Langer  
Action: Prevailed by roll call vote. (12-0-1-0)

Voting Yes: DiSanto, Gibson, Haugaard, Hunt, Johns, Killer, Langer, Peterson (Kent), Russell, Westra, Stevens, Mickelson

Excused: Latterell

MOTION: PLACE HB 1055 ON CONSENT CALENDAR

Moved by: Langer  
Second by: Westra  
Action: Prevailed by voice vote.

HB 1062: permit an order changing the name of a minor child without prior publication in certain instances.

Presented by: Rep. Stevens, Legislator  
Proponents: Tom Barnett, State Bar Of South Dakota

MOTION: DO PASS HB 1062

Moved by: Langer  
Second by: Johns  
Action: Prevailed by roll call vote. (12-0-1-0)

Voting Yes: DiSanto, Gibson, Haugaard, Hunt, Johns, Killer, Langer, Latterell, Peterson (Kent), Russell, Stevens, Mickelson

Excused: Westra

MOTION: PLACE HB 1062 ON CONSENT CALENDAR

Moved by: Langer  
Action: Died for lack of a second.

HB 1063: revise provisions regarding required notice of relocation of a minor child when a protection order is in place.

Presented by: Rep. Stevens, Legislator  
Proponents: Tom Barnett, State Bar Of South Dakota

MOTION: DO PASS HB 1063

Moved by: Gibson

Second by: Langer

Action: Prevailed by roll call vote. (13-0-0-0)

Voting Yes: DiSanto, Gibson, Haugaard, Hunt, Johns, Killer, Langer, Latterell, Peterson (Kent), Russell, Westra, Stevens, Mickelson

HB 1058: revise the procedure for recovery of abandoned mineral interests.

Presented by: Rep. Johns, Legislator

Proponents: Max Main, Self (Handouts: Handout #1)  
Tom Barnett, State Bar Of South Dakota

MOTION: AMEND HB 1058

1058rb

On page 3, line 2, of the printed bill, remove the overstrikes from "is".

On page 4, between lines 9 and 10, insert:

"

The surface owner may rely upon the record mineral owner's last address of record in the office of county register of deeds in which the mineral interest is located. It is the record mineral owner's obligation to maintain an address of record in the office of the register of deeds in the county in which their mineral interest is located. Failure to maintain an address of record is a waiver by the record mineral owner of the requirement to mail a copy of the notice of lapse to the record mineral owner."

Moved by: Gibson

Second by: Langer

Action: Prevailed by voice vote.

MOTION: DO PASS HB 1058 AS AMENDED

Moved by: Stevens

Second by: Hunt

Action: Prevailed by roll call vote. (10-3-0-0)

Voting Yes: DiSanto, Gibson, Hunt, Johns, Killer, Langer, Peterson (Kent), Westra, Stevens,

Mickelson

Voting No: Haugaard, Latterell, Russell

MOTION: ADJOURN

Moved by: Langer

Second by: Gibson

Action: Prevailed by voice vote.

Liz Markley  
Committee Secretary

---

G. Mark Mickelson, Chair